
**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

EDWARD A. WILLIAMS Plaintiff	:	
	:	Civil Action No. 17-CV-2641
	:	
v.	:	Honorable Robert F. Kelly
	:	
JEFFERSON B. SESSIONS III, <i>et al.</i>	:	
	:	
Defendants	:	

Supplemental Exhibit List to Plaintiff's Motion for Summary Judgment

Exhibit L: Additional Excerpt from the Deposition of Edward A. Williams

Exhibit M: Court Docket printed November 7, 2018

Exhibit N: Excerpt from the Deposition of James Colosimo

Exhibit O: February 12, 2015 Letter of Attorney Andrew Gay, Jr. to the PSP

Exhibit L

EDWARD A. WILLIAMS

1 A. No.

2 Q. Were you born in the United States?

3 A. Yes.

4 Q. Have you ever been in the Armed
5 Forces?

6 A. No.

7 Q. Have you ever been in the Reserves?

8 A. No.

9 Q. Have you ever renounced your United
10 States Citizenship?

11 A. No.

12 Q. Have you ever had a restraining
13 order against you?

14 A. No.

15 Q. Have you ever been charged with any
16 crime with respect to domestic violence?

17 A. No.

18 Q. Have you ever been investigated for
19 engaging in domestic violence at all?

20 A. No.

21 Q. More generally Mr. Williams, what
22 crimes have you been convicted of?

23 A. That DUI.

24 Q. The 2004 DUI?

25 A. Yes.

EDWARD A. WILLIAMS

1 Q. Anything else?

2 A. No.

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 BY MR. SCICCHITANO:

13 Q. Have you ever had any other charges
14 ever filed against you, even if they were
15 ultimately dismissed or not pursued?

16 A. No.

17 Q. Have you ever been arrested for
18 anything else?

19 A. A retail theft.

20 Q. When was that?

21 A. In the '90s. '89 or '90.

22 Q. How were those charges ultimately
23 handled?

24 A. I had to pay a fine.

25 Q. Were you found guilty of the retail

EDWARD A. WILLIAMS

1 A. Yes.

2 Q. In 2007?

3 A. Yes.

4 Q. Who completed the background check
5 for you?

6 A. The State Police.

7 Q. But was the Philadelphia Archery
8 and Gun Club, were they the ones --

9 A. Yes, Michael.

10 Q. Is it Michael Fusco; is that right?

11 A. Correct.

12 Q. Do you remember Mr. Fusco running
13 your background check at this time?

14 A. Yes, I do.

15 Q. What do you recall from the results
16 of the check?

17 A. As you can see I was approved. I
18 waited about 15 minutes or so. They came back
19 with an approval number.

20 Q. What happened to the Glock-23 that
21 you purchased?

22 A. I eventually returned it back to
23 them once I found out that I was not supposed
24 to have it.

25 Q. So that was around 2014/2015 you

EDWARD A. WILLIAMS

1 Q. You understood that at the time
2 that you filled out that form; right?

3 A. Yes.

4 Q. Did you handle all the ATF
5 paperwork for Mr. Colosimo?

6 A. No.

7 Q. Who else handled it?

8 A. Constance and sometimes Jerome.

9 Q. Did Mr. Colosimo himself ever
10 handle it?

11 A. Rarely.

12 Q. Would you say that you were the one
13 that handled most of the ATF paperwork?

14 A. No, Connie was.

15 Q. Was there a particular type of ATF
16 paperwork that you handled?

17 A. No, we did the same stuff.

18 Q. It's just I guess you handled the
19 paperwork for whatever customers you were
20 dealing with at the time; is that right?

21 A. Yes.

22 Q. You worked there from 1994 until
23 2010; is that right?

24 A. Correct.

25 Q. Did you handle the ATF paperwork

EDWARD A. WILLIAMS

1 during that entire period of time?

2 A. No, 1994 I started at the pistol
3 range. After a couple years, I slid down to the
4 store.

5 Q. What's your best estimate as to
6 when you started handling the ATF paperwork?

7 A. Probably in '96, '97.

8 Q. Now as part of your duties with
9 respect to firearm and ammunition sales, can
10 you tell me what your duties and
11 responsibilities were in that respect?

12 A. Individuals would come in,
13 interested in purchasing, verified that they
14 had a Pennsylvania driver's license or State
15 ID, fill out the paperwork. Then in the old
16 days we mailed everything in. They did a check
17 and you would get a pack back from the Police
18 Department they're approved, they're approved,
19 they're approved. This person denied. This
20 person denied.

21 The Instant Check System
22 changed all that. We're allowed to make a phone
23 call and 90 percent, 95 percent of the time you
24 have an answer almost that same day.

25 If they were approved, we

EDWARD A. WILLIAMS

1 get an approval number. They get a copy of the
2 paperwork and then they're allowed to take the
3 firearm. If they were put into research, we
4 hold everything until we get an answer from
5 State Police.

6 Q. With respect to the inventory for
7 firearm and ammunition, did you take care of
8 the inventory as well?

9 A. Sometimes.

10 Q. What do you mean by sometimes?

11 A. Well, there's certain days that I
12 would need to order merchandise. I'm
13 responsible for figuring out which firearms,
14 how much ammunition and then I contact our
15 dealers and place the order.

16 Q. Did you physically handle the
17 firearms and ammunitions as part of your
18 responsibilities?

19 A. Yes.

20 Q. During this entire period of time
21 from 1994 to 2010?

22 A. Yes.

23 Q. I assume you are, but I'll ask
24 anyway, are you aware of Mr. Colosimo's
25 companies guilty plea with respect to the

EDWARD A. WILLIAMS

1 Federal Criminal Charges for falsifying ATF
2 paperwork?

3 A. Yes.

4 Q. What are you aware of?

5 A. Short story, we were screwed out of
6 business by one individual who completed a few
7 store purchases.

8 Q. Who was the individual; do you
9 recall?

10 A. Connie.

11 Q. One of the employees?

12 A. Yes.

13 Q. I misunderstood you. I thought you
14 meant a customer.

15 A. No, not a customer.

16 Q. So what's your understanding with
17 respect to the ATF paperwork that was at issue
18 in that a particular case that Constance was
19 the one who handled it?

20 A. Correct.

21 Q. Did you at any time handle the
22 paperwork that was at issue in those Federal
23 Criminal Charges?

24 A. No.

25 Q. Did you ever complete any of that

Exhibit M

MUNICIPAL COURT OF PHILADELPHIA COUNTY**DOCKET**

Docket Number: MC-51-CR-0902161-2004

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Edward Williams

Page 1 of 8

CASE INFORMATIONJudge Assigned: Gehret, Thomas F.Date Filed: 09/07/2004Initiation Date: 09/07/2004OTN: N 293062-0LOTN:Originating Docket No:Initial Issuing Authority:Final Issuing Authority: Thomas F. GehretArresting Agency: Philadelphia PdArresting Officer: PRICE, ALBERT A.Complaint/Incident #:Case Local Number Type(s)Case Local Number(s)

Police Incident Number

0414072018

Legacy Docket Number

M0409021611

Legacy Microfilm Number

06024851

District Control Number

0414072018

STATUS INFORMATIONCase Status: ClosedStatus DateProcessing StatusArrest Date: 09/07/2004

06/15/2006

Completed

09/07/2004

Migrated Case (Active)

Complaint Date: 09/07/2004**CALENDAR EVENTS**

<u>Case Calendar</u>	<u>Schedule</u>	<u>Start</u>	<u>Room</u>	<u>Judge Name</u>	<u>Schedule</u>
<u>Event Type</u>	<u>Start Date</u>	<u>Time</u>			<u>Status</u>
Trial	09/30/2005	8:30 am	603		Scheduled
Sentencing	12/15/2005	9:30 am	200		Scheduled
Sentencing	04/20/2006	9:30 am	200		Scheduled
Sentencing	05/03/2006	9:30 am	200		Scheduled
Sentencing	06/15/2006	9:30 am	200		Scheduled

DEFENDANT INFORMATIONDate Of Birth:City/State/Zip: PHILA, PA 19141**CASE PARTICIPANTS**Participant TypeName

Defendant

Williams, Edward

BAIL INFORMATION

Williams, Edward

Nebbia Status: None

Bail ActionDateBail TypePercentageAmountBail Posting StatusPosting Date

Set

09/07/2004

ROR

\$0.00

Posted

09/07/2004

CHARGES

MUNICIPAL COURT OF PHILADELPHIA COUNTY

DOCKET



Docket Number: MC-51-CR-0902161-2004

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Edward Williams

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CHARGES

<u>Seq.</u>	<u>Orig Seq.</u>	<u>Grade</u>	<u>Statute</u>	<u>Statute Description</u>	<u>Offense Dt.</u>	<u>OTN</u>
1	1	M2	75 § 3731 §§A51*	Dr W/BI Alc Lev .10% Or > W/In 3 Hrs	09/07/2004	N 293062-0

DISPOSITION SENTENCING/PENALTIES

DispositionCase EventSequence/DescriptionSentencing JudgeSentence/Diversion Program TypeSentence ConditionsDisposition DateOffense DispositionSentence DateIncarceration/Diversionary PeriodFinal DispositionGrade SectionCredit For Time ServedStart Date

Guilty

Migrated Dispositional Event

06/15/2006

Final Disposition

1 / Dr W/BI Alc Lev .10% Or > W/In 3 Hrs

Guilty

M2

75 § 3731 §§ A51*

Gehret, Thomas F.

06/15/2006

Confinement

Min of 90.00 Days

Max of 2.00 Years

COMMONWEALTH INFORMATION

Name: Philadelphia County District Attorney's
Office
Prosecutor

Supreme Court No:

Phone Number(s):
215-686-8000 (Phone)

Address:

3 South Penn Square
Philadelphia, PA 19107

ATTORNEY INFORMATION

Name: Fortunato N. Perri Jr.
Private

Supreme Court No: 052719

Rep. Status: Active

Phone Number(s):
215-981-0999 (Phone)

Address:

McMonagle Perri Et Al
1845 Walnut St Fl 19
Philadelphia, PA 19103

Representing: Williams, Edward

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	09/07/2004		Unknown Filer
PARS Transfer			
2	09/07/2004		Migrated, Filer
MUNICIPAL COURT CASE CREATED			
MUNICIPAL COURT CASE CREATED			

MUNICIPAL COURT OF PHILADELPHIA COUNTY**DOCKET**

Docket Number: MC-51-CR-0902161-2004

CRIMINAL DOCKET

Court Case

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Edward Williams

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ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	10/20/2004		Migrated, Filer
MUNICIPAL COURT CONTINUANCE			
LISTED FOR TRIAL			
NEXT ACTION: TRIAL DATE: 12/06/04 TIME: 0830			
ROOM 603 CJC, 1301 FILBERT ST			
ATTORNEY WAS ADDED			
NEW ATTORNEY: 75375 PERRI,,JR, FORTUNATO			
1	12/06/2004		Migrated, Filer
MUNICIPAL COURT CONTINUANCE			
ADVANCE DEFENSE REQUEST			
NEXT ACTION: TRIAL DATE: 01/14/05 TIME: 0830			
ROOM 603 CJC, 1301 FILBERT ST			
RULE RUN DATE, PREVIOUS: 03/06/05 NEW: 04/14/05			
1	01/14/2005		Migrated, Filer
MUNICIPAL COURT CONTINUANCE			
DEFENSE ATTORNEY UNPREPARED NEWLY APPOINTED/RETAINED			
NEXT ACTION: TRIAL DATE: 03/14/05 TIME: 0830			
ROOM 603 CJC, 1301 FILBERT ST			
RULE RUN DATE, PREVIOUS: 04/14/05 NEW: 06/12/05			
1	03/14/2005		Migrated, Filer
MUNICIPAL COURT CONTINUANCE			
LISTED FOR TRIAL			
NEXT ACTION: TRIAL DATE: 05/04/05 TIME: 0830			
ROOM 603 CJC, 1301 FILBERT ST			
ATTORNEY: 75375 PERRI,,JR, FORTUNATO			
SOURCE WAS: Q NOW: P			
2	03/14/2005		Migrated, Filer
MUNICIPAL COURT CONTINUANCE			
LISTED FOR TRIAL			
NEXT ACTION: TRIAL DATE: 05/04/05 TIME: 0830			
ROOM 603 CJC, 1301 FILBERT ST			
1	05/04/2005		Migrated, Filer
MUNICIPAL COURT CONTINUANCE			
LISTED FOR TRIAL			
NEXT ACTION: TRIAL DATE: 07/14/05 TIME: 0830			
ROOM 603 CJC, 1301 FILBERT ST			

MUNICIPAL COURT OF PHILADELPHIA COUNTY**DOCKET**

Docket Number: MC-51-CR-0902161-2004

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Commonwealth of Pennsylvania

v.

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ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
2	07/14/2005		Migrated, Filer
MUNICIPAL COURT CONTINUANCE			
DEFENSE ATTORNEY ON TRIAL ELSEWHERE			
NEXT ACTION: TRIAL DATE: 09/30/05 TIME: 0830			
ROOM 603 CJC, 1301 FILBERT ST			
RULE RUN DATE, PREVIOUS: 06/12/05 NEW: 08/29/05			
1	09/30/2005		Migrated, Filer
Migrated Automatic Registry Entry (Calendar) Text			
2	09/30/2005		Migrated, Filer
MUNICIPAL COURT TRIAL RESULT			
DRIVING UNDER INFLUENCE ALCOHOL/CONTRL SUB			
VERDICT GUILTY SENT DEF/PRES REPT/PSCH/CRN			
SENTENCE DEFERRED DATE: 12/15/05 ROOM: 200 TIME: 03:30			
3	09/30/2005		Migrated, Filer
MUNICIPAL COURT TRIAL RESULT			
MUNICIPAL COURT TRIAL RESULT			
ROOM 603 CJC, 1301 FILBERT ST			
TRIAL JUDGE: HON. THOMAS F GEHRET			
FINE: \$0			
COST: \$0			
RESTITUTION: \$0			
DEFENSE ATTORNEY: PERRI,JR, FORTUNATO (P)			
TRIAL TYPE: WAIVER			
1	12/15/2005		Migrated, Filer
Migrated Automatic Registry Entry (Calendar) Text			
2	12/15/2005		Migrated, Filer
MUNICIPAL COURT TRIAL RESULT			
DRIVING UNDER INFLUENCE ALCOHOL/CONTRL SUB			
VERDICT GUILTY SENT DEF/PRES REPT/PSCH/CRN			
SENTENCE DEFERRED DATE: 04/20/06 ROOM: 200 TIME: 03:30			

MUNICIPAL COURT OF PHILADELPHIA COUNTY**DOCKET**

Docket Number: MC-51-CR-0902161-2004

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Court Case

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ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
3	12/15/2005		Migrated, Filer
MUNICIPAL COURT TRIAL RESULT			
MUNICIPAL COURT TRIAL RESULT			
ROOM 200 CJC, 1301 FILBERT STREET			
TRIAL JUDGE: HON. THOMAS F GEHRET			
SENTENCE JUDGE: HON. THOMAS F GEHRET			
FINE: \$0			
COST: \$0			
RESTITUTION: \$0			
DEFENSE ATTORNEY: PERRI,JR, FORTUNATO (P)			
CWO			
TRIAL TYPE: WAIVER			
1	04/20/2006		Migrated, Filer
Migrated Automatic Registry Entry (Calendar) Text			
2	04/20/2006		Migrated, Filer
MUNICIPAL COURT TRIAL RESULT			
MUNICIPAL COURT TRIAL RESULT			
ROOM 200 CJC, 1301 FILBERT STREET			
TRIAL JUDGE: HON. THOMAS F GEHRET			
SENTENCE JUDGE: HON. THOMAS F GEHRET			
FINE: \$0			
COST: \$0			
RESTITUTION: \$0			
DEFENSE ATTORNEY: PERRI,JR, FORTUNATO (P)			
CWO			
TRIAL TYPE: WAIVER			
3	04/20/2006		Migrated, Filer
MUNICIPAL COURT TRIAL RESULT			
DRIVING UNDER INFLUENCE ALCOHOL/CONTRL SUB			
VERDICT GUILTY SENT DEF/PRES REPT/PSCH/CRN			
SENTENCE DEFERRED DATE: 05/03/06 ROOM: 200 TIME: 03:30			
1	05/03/2006		Migrated, Filer
Migrated Automatic Registry Entry (Calendar) Text			

MUNICIPAL COURT OF PHILADELPHIA COUNTY**DOCKET**

Docket Number: MC-51-CR-0902161-2004

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Edward Williams

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ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
2	05/03/2006		Migrated, Filer
MUNICIPAL COURT TRIAL RESULT			
DRIVING UNDER INFLUENCE ALCOHOL/CONTRL SUB			
VERDICT GUILTY SENT DEF/PRES REPT/PSCH/CRN			
SENTENCE DEFERRED DATE: 06/15/06 ROOM: 200 TIME: 03:30			
3	05/03/2006		Migrated, Filer
MUNICIPAL COURT TRIAL RESULT			
MUNICIPAL COURT TRIAL RESULT			
ROOM 200 CJC, 1301 FILBERT STREET			
TRIAL JUDGE: HON. THOMAS F GEHRET			
SENTENCE JUDGE: HON. THOMAS F GEHRET			
FINE: \$0			
COST: \$0			
RESTITUTION: \$0			
DEFENSE ATTORNEY: PERRI,JR, FORTUNATO (P)			
CWO			
TRIAL TYPE: WAIVER			
1	06/15/2006		Migrated, Filer
Migrated Automatic Registry Entry (Disposition) Text			
2	06/15/2006		Migrated, Filer
Migrated Sentence			
3	06/15/2006		Migrated, Filer
Migrated Automatic Registry Entry (Calendar) Text			
4	06/15/2006		Migrated, Filer
MUNICIPAL COURT TRIAL RESULT			
MUNICIPAL COURT TRIAL RESULT			
ROOM 200 CJC, 1301 FILBERT STREET			
TRIAL JUDGE: HON. THOMAS F GEHRET			
SENTENCE JUDGE: HON. THOMAS F GEHRET			
FINE: \$1,500			
COST: \$180			
RESTITUTION: \$0			
DEFENSE ATTORNEY: PERRI,JR, FORTUNATO (P)			
CWO ***DEFENDANT TO SERVE SENTENCE ON HOUSE ARREST***			
TRIAL TYPE: WAIVER			

MUNICIPAL COURT OF PHILADELPHIA COUNTY**DOCKET**

Docket Number: MC-51-CR-0902161-2004

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Edward Williams

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ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
5	06/15/2006		Migrated, Filer
MUNICIPAL COURT TRIAL RESULT			
DRIVING UNDER INFLUENCE ALCOHOL/CONTRL SUB			
VERDICT GUILTY SENTENCE IMPOSED			
MINIMUM SENTENCE: 0 YEARS 0 MONTHS 90 DAYS			
MAXIMUM SENTENCE: 2 YEARS 0 MONTHS 0 DAYS			
6	06/15/2006		Migrated, Filer
PROBATION FACE SHEET ENTRY			
ADDED A DEFENDANT ADDRESS HISTORY RECORD			
1	08/31/2007		Municipal Court - Philadelphia County
DL-21CF to be Prepared			
1	10/05/2009		Williams, Edward
Return Case From Collection Agency - Monies Successfully Collected			

MUNICIPAL COURT OF PHILADELPHIA COUNTY**DOCKET**

Docket Number: MC-51-CR-0902161-2004

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Edward Williams

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CASE FINANCIAL INFORMATION

Last Payment Date: 09/16/2009

Total of Last Payment: -\$250.00

Williams, Edward	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary</u>	<u>Total</u>
Surety				<u>Payments</u>	
Costs/Fees					
State Court Costs (Act 204 of 1976)	\$9.26	-\$9.26	\$0.00	\$0.00	\$0.00
Commonwealth Cost - HB627 (Act 167 of 1992)	\$7.94	-\$7.94	\$0.00	\$0.00	\$0.00
County Court Cost (Act 204 of 1976)	\$25.80	-\$25.80	\$0.00	\$0.00	\$0.00
Crime Victims Compensation (Act 96 of 1984)	\$35.00	-\$35.00	\$0.00	\$0.00	\$0.00
Victim Witness Service (Act 111 of 1998)	\$25.00	-\$25.00	\$0.00	\$0.00	\$0.00
Firearm Education and Training Fund	\$5.00	-\$5.00	\$0.00	\$0.00	\$0.00
Catastrophic Loss Fund (Act 24 of 1989)	\$50.00	-\$100.00	\$50.00	\$0.00	\$0.00
Judicial Computer Project	\$8.50	-\$8.50	\$0.00	\$0.00	\$0.00
ATJ	\$1.50	-\$1.50	\$0.00	\$0.00	\$0.00
CQS Fee Misdemeanor (Philadelphia)	\$50.00	-\$50.00	\$0.00	\$0.00	\$0.00
Collection Fee (Philadelphia)	\$100.98	-\$100.98	\$0.00	\$0.00	\$0.00
Costs/Fees Totals:	\$318.98	-\$368.98	\$50.00	\$0.00	\$0.00
Fines					
Title 75, DUI (Motor License Fund)	\$750.00	-\$750.00	\$0.00	\$0.00	\$0.00
Title 75, DUI (Motor License Fund)	\$750.00	-\$750.00	\$0.00	\$0.00	\$0.00
Fines Totals:	\$1,500.00	-\$1,500.00	\$0.00	\$0.00	\$0.00
Grand Totals:	\$1,818.98	-\$1,868.98	\$50.00	\$0.00	\$0.00

** - Indicates assessment is subrogated

Exhibit N

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

- - -
EDWARD A. WILLIAMS, : CIVIL ACTION
:
Plaintiff, :
:
vs. :
:
JEFF SESSIONS, ET AL., :
:
Defendants. : NO. 17-CV-2641
- - -

Oral deposition of JAMES J. COLOSIMO,

[REDACTED]
[REDACTED] Philadelphia, Pennsylvania, on June, 5,
2018, beginning at approximately 1:56 p.m., before
Elizabeth Kelly, Professional Reporter and Notary
Public in and of the Commonwealth of Pennsylvania.

- - -
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424 Fleming Pike, Hammonton, New Jersey 08037
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JAMES J. COLOSIMO

1 Q Okay. Did Mr. Williams ever communicate
2 to you any criminal history that he had?

3 A No.

4 Q Did he ever inform you about a DUI
5 conviction that he had on his record?

6 A Yes.

7 Q When did he tell you that?

8 A I don't recall.

9 Q Was it recently, or was it while he was
10 employed for the company?

11 A I don't recall.

12 Q Do you recall what it is that he told you
13 about the DUI conviction?

14 A Had a DUI.

15 Q Whenever he told you about the DUI
16 conviction, did he tell you anything about whether
17 he could remain employed and possess firearms?

18 A It was checked out by ATF and by the City,
19 and they said it was okay. They were -- right
20 across the street from the City, and ATF was in
21 there every two weeks. And they knew about it.

22 Q Let's talk about that a little bit.

23 What do you recall about ATF learning
24 about Mr. Williams's DUI conviction?

25 A Nothing, except it was all right. They

JAMES J. COLOSIMO

1 didn't say fire him. They didn't say he couldn't
2 work there.

3 Q To your recollection, how do recall ATF
4 becoming aware of his DUI conviction?

5 A ATF was in my place every week. They were
6 aware of everything.

7 Q But how did they become aware of the
8 particular DUI conviction? Did Mr. Williams tell
9 them about it, or did it come back on a background
10 check? Do you recall?

11 A I don't know.

12 Q Well, then how do you know that ATF knew
13 about it?

14 A Because I inquired on it.

15 Q Okay. You inquired with ATF?

16 A Yes.

17 Q And who did ask? One of the ATF agents?

18 A Oh, I don't remember.

19 Q I'm not asking for individual names.

20 A Oh, I mean, you know, you're going back
21 years now.

22 Q Unfortunately, yes, sorry. I guess, what
23 I'm understanding then is you inquired with an ATF
24 employee, whoever they were, whatever their name
25 was, about the nature of Mr. Williams's conviction

JAMES J. COLOSIMO

1 and his eligibility for employment at the company;
2 is that right?

3 A Yes.

4 Q Okay. But you don't recall specifically
5 when that was?

6 A No.

7 Q And you don't recall who at ATF you talked
8 to; right?

9 A Whoever the agent was at that time.

10 Q Okay. Did the agent indicate to you that
11 they had conducted a background check on
12 Mr. Williams?

13 A He was allowed to work.

14 Q No, that's not my question.

15 A What is your question?

16 Q My question is whether the ATF agent
17 indicated to you that they conducted a background
18 check on Mr. Williams?

19 A Yes.

20 Q And what did they say to you about the
21 background check?

22 A I don't remember.

23 (Discussion was held off the record.)

24 BY MR. SCICCHITANO:

25 Q Do you recall whether ATF gave you any

JAMES J. COLOSIMO

1 to go back to my question just to make sure you
2 understood it correctly. I don't want you to be
3 confused at all. I think we already agreed that you
4 became aware of Mr. Williams's DUI conviction while
5 he was employed for you?

6 A Yes.

7 Q Okay. And my question is, you know, it
8 sounded like Mr. Williams, at some point, told you
9 that he was also -- understood that he was
10 prohibited from owning a firearm; is that right?

11 A Well, I don't know whether he -- exactly
12 if he was -- couldn't own it. I knew he owned them.
13 I don't know whether he turned them in or why --

14 Q Yeah, I'm not asking -- and I'll get to --

15 A Well, what are you asking? I'm not clear.

16 Q I'm asking whether Mr. Williams told you
17 that he understood that he could not own a firearm?

18 A No.

19 Q Oh, he didn't tell you.

20 A I don't understand what you're asking.

21 MR. SCICCHITANO: Would there be a more
22 helpful way to phrase this?

23 THE WITNESS: What is he asking?

24 MR. DEL COLLO: I think he answered it.

25 MR. SCICCHITANO: Well, I know, but we're

JAMES J. COLOSIMO

1 Q Okay. Were your employees expected to
2 understand the form?

3 A Positively.

4 Q Okay. Were your employees expected to
5 understand what causes -- what type of criminal
6 convictions cause someone to become prohibited?

7 A Well, it was right on the form.

8 Q Okay. So if someone didn't understand
9 what was on the form, your employees weren't
10 expected to know whether or not they were or were
11 not prohibited from purchasing or possessing
12 firearms or ammunition?

13 A I don't understand that question. I don't
14 get what you're saying now.

15 Q Did your employees rely on the response
16 from the Pennsylvania State Police as to whether or
17 not someone was or was not prohibited?

18 A Yes.

19 Q Okay. So they were not -- your employees
20 were not responsible for knowing whether or not a
21 potential purchaser or transferrer was a prohibited
22 person; correct?

23 A By the answer that he put down on there.

24 Q Okay.

25 A If he lied, they wouldn't know.

Exhibit O

